

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Respondent,

-VS-

CESAR ROBERTO CASTRO-GOMEZ,
Petitioner-Defendant,

*****)

STATE OF SOUTH CAROLINA)

) SS:

COUNTY OF HAMPTON)

2005 MAR -3 PM 1:36

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

DOCKET NO.: 97-CR-11-2.

RECEIVED & FILED
05 MAR -9 AM 10:33
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COMES NOW Your Affiant, CESAR ROBERTO CASTRO-GOMEZ, the petitioner in the above docket number, being over the age of eighteen (18), and otherwise competent to provide this Affidavit, and after being duly sworn deposes and states:

1. Your Affiant was the defendant in a case before the United States District Court, District Of Puerto Rico, bearing Case No.: 97-CR-11-2(PG).

2. Your Affiant is proceeding in this matter on the grounds of Denial Of Effective Assistance Of trial and appellate counsels in the above case number. The undersigned petitioner was prejudiced by lead trial counsel's failure to prepare for trial and failure to discuss the case with petitioner before trial, in that counsel met petitioner on a Friday and the trial commenced the next Monday.

3. Additionally, Your Affiant was denied his Due Process Rights by the trial Court, in that the trial Court acted like a

interpreter to the prosecutor's Star witness Raul Palacios Diaz.

4. Moreover, counsels for the petitioner were filing pretrial motions two (2) days during the trial of this cause.

5. Petitioner asserts that both newly appointed counsel Quetglas and former Plea counsel Lazirribar-Masini did not investigate the case, did not interview government and defense witnesses at the pre-trial proceedings.

6. Your Affiant told the trial Court that both newly appointed counsel and former plea counsel did not consult with the undersigned petitioner for the purpose of Jury trial.

7. Your Affiant submits that he will produce evidence in the form of documentary evidence and witness and personal testimonies to substantiate his contentions.

FURTHER AFFIANT SAITH NOT.

Cesar R. Castro Gomez

CESAR ROBERTO CASTRO-GOMEZ.

February 17th 2005.

DATE.

STATE OF SOUTH CAROLINA)

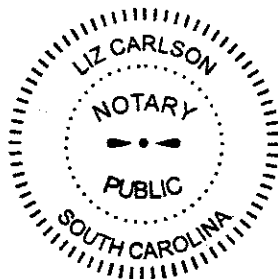
) SS:


HAMPTON COUNTY

I, the undersigned authority, a Notary Public in and for said State of South Carolina, do hereby certify that CESAR ROBERTO CASTRO-GOMEZ, whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me, on this day, that being informed of the contents of said instrument, he executed the same voluntarily, on the day the same bears date.

GIVEN under my name and official seal this 11th day of February, 2005.

(SEAL)





 Notary Public
 My Commission Expires: 9/10/2014